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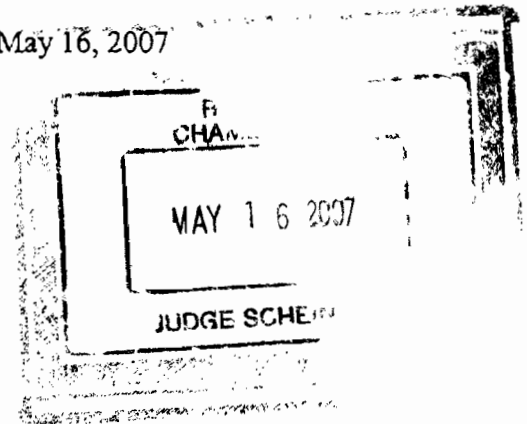
May 16, 2007

MEMO ENDORSED

**BY FACSIMILE**

Hon. Shira A. Scheindlin  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Dones v. City of New York, et. al.  
Docket No: CV 07 CV 3085 (SAS)



Dear Judge Scheindlin:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants City of New York and Raymond Kelly (herein after "City Defendants") in this action. City Defendants write to respectfully request that the time for all defendants<sup>1</sup> to respond to the complaint be extended from May 21, 2007, to June 21, 2007<sup>2</sup>. Plaintiff does not consent to this request because City

<sup>1</sup> George Fontana, plaintiff's counsel, indicated that he served the individual defendants, however, our office has been unable to confirm if the individual defendants have actually been properly served. Moreover, the Office of the Corporation Counsel has not yet determined pursuant to General Municipal Law § 50-k whether it will represent the individual defendants, Frank Teran, Thomas Scollan, Ron Mejia and Julius Morton in this action. In order to protect the individual defendants' rights if they have been properly served, City Defendants make this request on behalf of all the individual defendants as well.

<sup>2</sup> On May 1, 2007, the City and Kelly were served with a copy of the summons and complaint and as such City Defendants are required to serve their response to the complaint on or before May 21, 2007.

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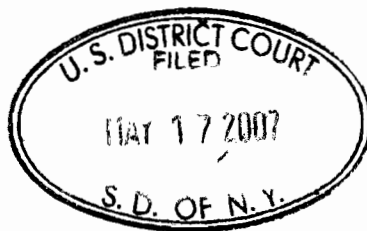
Defendants were not willing to waive their jurisdictional defenses. This is City Defendants' first request for an extension of time to respond to the complaint.

In order to respond to the complaint on behalf of the City defendants, which must be grounded in knowledge, information and belief formed after reasonable inquiry, as required by Rule 11 of the Federal Rules of Civil Procedure, I must identify, locate and interview those persons with knowledge of the allegations set forth in the complaint. In addition, I must identify, locate and review any documents relevant to plaintiff's claims. An extension of time will provide us with sufficient time to investigate plaintiff's allegations, review documents that might be relevant to this action and, if necessary, conduct representation interviews for the individual defendants.

For the foregoing reasons, City Defendants respectfully request that the Court extend the time for all defendants to respond to the complaint until June 21, 2007.

Thank you for your consideration of this request.

Respectfully submitted,



A handwritten signature in black ink, appearing to read "Jonathan Bardavid".

Jonathan Bardavid (JB0072)  
Assistant Corporation Counsel

cc: George C. Fontana, Esq. (By Facsimile to 516-358-1730)

*Request Granted. Defendants time to respond to the complaint is extended to June 21, 2007. This will not affect the scheduling of the initial conference.*

*So Ordered.*

A handwritten signature in black ink, appearing to read "George C. Fontana".  
*WCF*  
*5/16/07*